

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CRIMINAL ACTION NO. 1:06CR68

MARK CUNNINGHAM,  
Defendant.

ORDER/OPTION

It shall be recalled that on the 27th day of March 2008, came the Defendant, Mark Cunningham, in person and by his counsel, Edmund J. Rollo, and also came the United States by its Assistant United States Attorney, John Parr, for hearing on Defendant's pretrial motions. As part of the resolution of the pending motions, the Court ordered Defendant's Motion for Production of Transcripts (Docket Entry 173) be **CONTINUED**, directing counsel to identify the transcripts he was seeking, if any, and to request same pursuant to the CJA request process. A review of the docket in this matter to date, more than thirty (30) days after the hearing, reveals that counsel has not identified any transcripts.

It is therefore **ORDERED** that Defendant's Motion for Production of Transcripts (Docket Entry 173) is **DENIED**.

The Clerk of the Northern District for the United States District Court shall provide a copy of this order to all counsel of record.

DATED: May 8, 2008.

*John S. Kaull*  
JOHN S. KAULL  
UNITED STATES MAGISTRATE JUDGE